

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY S. BLANCK,
Plaintiff,

v.

COUNTY OF HUMBOLDT,
Defendant.

Case No. [19-cv-03055-RS](#) (AGT)

**ORDER RE: RFP DISCOVERY
DISPUTE – RFP NO. 10**

Re: Dkt. Nos. 49, 54, 55

The Court previously compelled Humboldt County to further respond to several of Jeffrey Blanck's initial requests for production. As to another of his initial requests, RFP No. 10, the Court ordered supplemental briefing. In RFP No. 10, Blanck asked the county to produce the following documents:

Any Board agenda items in the past ten years that involved the Board of Supervisors going into closed session to hear a complaint of an employee against another employee pursuant to California Government Code section 54957.

Having considered the supplemental briefing, the Court orders the county to respond to RFP No. 10 by producing all finalized agendas that it prepared over the past ten years for meetings of the county's board of supervisors (including both regular and special meetings), in which a complaint or charge against a county employee was identified on the agenda and was listed as a closed-session item.

For any responsive agenda that is available on the county's public website, the county, instead of producing the agenda, may identify the date and time of the corresponding board meeting and provide Blanck with a hyperlink to the agenda or with a hyperlink to the webpage on

1 which the agenda can be downloaded.¹

2 Blanck, admittedly, could obtain such publicly available agendas himself; but the county
3 hasn't meaningfully challenged his assertion that county IT staff will be better equipped to find the
4 responsive agendas efficiently. Under the circumstances, the county's relative access to the
5 agendas appears greater than Blanck's—which weighs in favor of the production. *See City of*
6 *Colton v. Am. Promotional Events, Inc.*, No. 09-cv-06630 PSG (SSx), 2011 WL 13223968, at *3
7 (C.D. Cal. Nov. 28, 2011) (explaining that documents must be “equally available” not just
8 “publicly available” for the responding party to avoid production on this basis).

9 The parties should meet and confer to identify reasonable dates by which the county must
10 respond to RFP No. 10 and to Blanck's other initial requests for production.

11 **IT IS SO ORDERED.**

12 Dated: June 2, 2020



ALEX G. TSE
United States Magistrate Judge

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¹ See, e.g., <https://humboldt.legistar.com/MeetingDetail.aspx?ID=650095&GUID=1171EB06-A8C8-4742-BC75-A0B2280688BC&Options=info&Search=> (webpage for March 19, 2019 board meeting, with link to downloadable PDF version of the agenda).